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U.S. Department of the Interior
Bureau of Land Management

Environmental Assessment

Term Grazing Permit Renewal on the Moorman Ranch (00802) Allotment (DOI-BLM-NV-L010–2012–0006–EA)

August, 2012

Location: White Pine County, Nevada

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Ely District Office
Egan Field Office
702 N. Industrial Way
Ely, NV 89301
775–289–1800
775–289–1910

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Chapter 1. Introduction

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This document identifies issues, analyzes alternatives, and discloses the potential environmental impacts associated with the proposed term grazing permit renewal on the Moorman Ranch (00802) Allotment.

1.1. Background

The current term grazing permit for the Moorman Ranch, LLC (2704607) on the Moorman Ranch Allotment is issued for the period July 27, 2009 to February 28, 2019 and allows for year-round grazing in accordance with the Livestock Use Agreement for the Moorman Ranch Allotment, as amended. This agreement was established in 1997 as a five-year agreement resulting from the Moorman Ranch Allotment Final Multiple Use Decision (FMUD). In 2003, the agreement was evaluated and the management practices continued for an additional five-year term through a second agreement. In 2008, the Moorman Ranch Livestock Grazing Management Agreement Amendment was signed, extending the term of the agreement through February 28, 2013. This agreement outlines a voluntary non-use agreement and a pasture rotation system including a deferred-rotation on the summer portion of the allotment in conjunction with a Forest Service grazing permit. The 1997 FMUD amended the Allotment Management Plan (AMP) that was established on the Moorman Ranch Allotment in 1968 and also amended in 1978.

This grazing permit was originally renewed under the Categorical Exclusion (CX) authority in 2008–09 (CX-NV-042-08-003), but the decision was then vacated as a result of a settlement negotiation between the U.S. Department of Justice and Western Watershed Project to resolve litigation (WWP v. Lane. Case No. 07-cv-394-BLW) challenging BLM's use of certain categorical exclusions to satisfy the requirements of the National Environmental Policy Act (NEPA). Under the terms of this agreement, BLM agreed to vacate its February 4, 2009 decision on the Moorman Ranch Allotment, since it relied on a CX to satisfy NEPA . Because BLM vacated this decision, BLM issued a new ten-year grazing permit in 2009 under the authority of Section 426, Public Law 111–8 until such time as BLM could complete its processing of a new term grazing permit.

Monitoring data were reviewed and an assessment of the rangeland health for this allotment was completed in the 2012 Moorman Ranch Allotment Standards Determination Document (SDD). According to this assessment, Standard 1—Upland Sites—and Standard 2—Riparian and Wetland Sites—are being achieved. Standard 3—Habitat—is not being achieved, but is making significant progress towards achievement. Livestock grazing is not identified as a contributing factor to the non-attainment of Standard 3.

The Moorman Ranch, LLC is the sole grazing permittee on the Moorman Ranch Allotment. A review of the Moorman Ranch case file indicates that this permittee meets the mandatory qualifications to graze on public lands in accordance with 43 CFR 4110.1.

1.1.1. Location of Proposed Action

The Moorman Ranch Allotment encompasses approximately 124,000 public land acres (Map A.1, “Moorman Ranch Allotment”). The grazing permit area occurs entirely within White Pine County and is situated approximately 20 miles west of Ely, Nevada. The southwestern portion of this allotment borders Forest Service lands. The area reaches from northern Jakes Valley into the southern portion of Long Valley and includes the extreme southern portion of the Butte Mountains and northern portion of the White Pine Range. The Moorman Ranch Allotment occurs in both the Long Valley and the Jakes Valley Watersheds with a small portion in the Newark Watershed.

1.2. Purpose and Need for Action

The purpose and need for this proposal is to manage livestock grazing on public lands to provide for a level of grazing consistent with multiple use, sustained yield, and watershed function and health; to authorize grazing use in accordance with applicable laws, regulations, policies, and land use plans; and to improve conditions on the allotment in order to continue to meet or make progress towards the standards for rangeland health.

The Livestock Use Agreement that this grazing permit is currently based upon expires February 28, 2013, therefore grazing management under this permit needs reconsidered. Additionally, there is a need to fully process and consider renewing this permit because it is currently issued under the authority of Section 426, Public Law 111–8 ("Grazing Rider").

The need for this action is further outlined by Section 3 of the Taylor Grazing Act of 1934, as amended, which states, in part, "The Secretary of the Interior is hereby authorized to issue...permits to graze livestock..." and Section 402 of the Federal Land Management Policy Act of 1976, as amended.

1.2.1. Decision to be Made

The BLM will decide whether or not to renew the grazing permit for the Moorman Ranch and what the terms and conditions of such a permit would be.

1.3. Tiering

This document is tiered to the Ely Proposed Resource Management Plan/Final Environmental Impact Statement, dated November 2007 (Ely RMP/EIS). This EIS discloses general impacts to resources from livestock grazing on the Ely District (see specific references throughout this document).

1.4. Scoping, Public Involvement and Issues

This term permit renewal proposal was initially scoped internally by the Egan Field Office Interdisciplinary (ID) Team/Resource Specialists at their December 6, 2011 meeting to begin to identify any issues and/or resource concerns.

A letter notifying the permittee of the term permit renewal was sent on December 9, 2011. The Moorman Ranch Manager provided input throughout this process.

Tribal Coordination Letters were sent out December 12, 2011 for this project notifying the tribes of a 30-day comment period. No comments were received.

A letter notifying interested public of this term permit renewal was sent on January 25, 2012. This project proposal was posted on the National NEPA Register website on January 25, 2012. One comment letter was submitted supporting the proposal as written.

An Interested Public letter asking for comments to the Preliminary EA was sent on July 25, 2012 for a 30 day public comment period. The Preliminary EA and SDD were posted on the

National NEPA Register website on July 25, 2012 and open for public comment. No comments were received.

1.4.1. Issues Raised

- How would livestock grazing effect the overall rangeland health of the Moorman Ranch Allotment? How would these effects vary between alternatives?
- Would there be any direct effect to sage-grouse? What would be the grazing impacts on the vegetative components of sage-grouse habitat?
- Would there be any direct effect to pygmy rabbits? What would be the grazing impacts on the vegetative components of pygmy rabbit habitat?

Chapter 2. Proposed Action and Alternatives

2.1. Design Features Common to All Action Alternatives

2.1.1. Invasive, Non-Native Species and Noxious Weeds

A Weed Risk Assessment was completed for this grazing permit renewal on March 7, 2012. This assessment concluded that there is a moderate risk for weed expansion from this project and the project can proceed with the inclusion of the following measures:

- To eliminate the introduction of noxious weed seeds, roots, or rhizomes all interim and final seed mixes, hay, straw, hay/straw, or other organic products used for feed or bedding will be certified free of plant species listed on the Nevada noxious weed list or specifically identified by the BLM Ely District Office.
- Prior to entering public lands, the BLM will provide information regarding noxious weed management and identification to the permit holders affiliated with the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- The range specialist for the allotments will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook sections and applicable laws and regulations.
- Grazing will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
- When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
- Any newly established populations of noxious/invasive weeds discovered will be communicated to the Ely District Noxious and Invasive Weeds Program for treatment.

2.1.2. Monitoring

The Ely District Approved Resource Management Plan (August 2008) identifies monitoring to include, “Monitoring to assess rangeland health standards will include records of actual livestock use, measurements of forage utilization, ecological site inventory data, cover data, soil mapping, and allotment evaluations or rangeland health assessments. Conditions and trends of resources affected by livestock grazing will be monitored to support periodic analysis/evaluation, site-specific adjustments of livestock management actions, and term permit renewals. Monitoring will determine when grazing will be authorized in burned areas, and will contribute to the selection of prescribed burn treatments or other types of treatments based on attainment of resource objectives” (pg. 88).

The BLM and the permittee will continue to work together to collect monitoring data. Specific rangeland monitoring studies to be collected may include proper functioning condition (PFC) riparian studies, cover studies, ecological condition studies, and key species utilization studies. Additional studies may be collected if the need arises.

2.1.3. Terms and Conditions Common to All Grazing Allotments (Ely District)

1. Livestock numbers identified in the Term Grazing Permit are a function of seasons of use and permitted use. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations are consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
2. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
3. Grazing use will be in accordance with the Standards and Guidelines for Grazing Administration. The Standards and Guidelines have been developed by the respective Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
4. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
5. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.
6. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
7. When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
8. The placement of mineral or salt supplements will be a minimum distance of ½ mile from known water sources, riparian areas, winterfat dominated sites, sensitive sites, populations of special status plant species, and cultural resource sites. Mineral and salt supplements will also be one mile from active sage-grouse leks. Placing supplemental feed (i.e. hay, grain, pellets, etc.) on public lands without authorization is prohibited.

2.2. Description of the Proposed Action

The BLM proposes to issue and fully process a new term grazing permit for the Moorman Ranch and authorize cattle grazing on the Moorman Ranch Allotment. The renewal of this term grazing permit would be for a period of up to ten years. If base property is transferred during this ten year period with no changes to the terms and conditions, the new term permit would be issued for the remaining term of the permit.

Livestock grazing management practices are largely being carried forward from the current permit through a new Livestock Grazing Agreement (Appendix B, *Livestock Grazing Agreement*). These management practices include the voluntary non-use of 5,350 AUMs, a pasture rotation system, water hauling requirements, maximum allowable use levels, and actual use annual grazing fee billing. Changes would be as follows:

- The deferred-rotation system on the Buster Mountain Pasture and Illipah Seeding Pasture in conjunction with the permittee's Forest Service allotments has been terminated. The overall season of use for these pastures would be maintained as 05/16 to 10/14.
- The season of use on the Burned Basin Pasture is being changed from 09/01 through 04/15 to 05/016 through 10/14 because this area generally has too much snow for winter grazing.

Cattle will also be allowed to trail through this pasture outside of this season of use to facilitate movement between pastures.

- While maximum allowable use levels are being maintained, an additional condition requiring the movement of livestock when these levels are reached is being added.

In accordance with 43 CFR 4130.3, the terms and conditions for the Moorman Ranch term grazing permit would be as follows:

Table 2.1. Proposed New Grazing Permit on the Moorman Ranch Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land[a]	Type Use	AUMs[b]
Moorman Ranch 00802	395 Cattle	03/01 to 02/28	100	Active	4740

Allotment AUMs Summary				
Allotment Name	ACTIVE AUMS	VOLUNTARY NON-USE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Moorman Ranch	4,749	5,350	0	10,099

[a]% Public Land is the percent of public land for billing purposes.

[b]AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions:

1. 5,350 AUMs will continue to be placed in voluntary non-use therefore only 4,749 AUMs will be permitted for active use annually.
2. The overall season of use will remain yearlong (03/01 to 02/28) with the pasture rotation system shown below:

Pasture	Season of Use	Active AUMs	Voluntary Non-Use AUMs
Long Valley	10/15 to 04/15	1,366	1,748
West Jakes	09/01 to 04/15	644	409
Townsend Seeding	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	477	0
East Jakes Seeding	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	169	4
Moorman Ranch Seeding	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	343	0
East Jakes	05/16 to 10/14	300[a]	328
Burned Basin	05/16 to 10/14[b]	148	496
Antelope/Divide	05/16 to 10/14	600[a]	1,445
Trench	05/16 to 10/14	183	277
Buster Mountain	05/16 to 10/14[c]	394	643
Illipah Seeding	05/16 to 10/14[c]	125	0

[a]Full use of these AUMs is dependent upon water hauling

[b]Cattle may also be trailed through this area outside of this season of use

[c]The rest-rotation system in conjunction with Forest Service grazing permit has been terminated, but overall season of use will be maintained

3. Full use of 600 AUMs in the Antelope/Divide Pasture will be dependent upon water hauling. Without hauling water only 492 AUMs will be available. Water will be hauled in accordance with Nevada State Water Law to:

   a. Northern portion of the Divide Pasture: T18N R58E Sec.2–3, unless water is available at the stock pond: T18N R58E Sec. 11 NWNW
   b. Near Illipah Mine Site: T19N R58E Sec. 33 NESW
4. Full use of 300 AUMs in the East Jakes Pasture will be dependent upon water hauling. Without hauling water only 147 AUMs will be available. Water will be hauled in accordance with Nevada State Water Law to:
   a. Townsend Well (dry): T18N R60E Sec. 10
   b. South of Highway 50: T18N R60E Sec. 14
5. Livestock will continue to be moved within larger pastures by changing water availability throughout the season and will be varied from year to year.
   a. In order to maintain animal distribution in the Long Valley Pasture wells will be functioning and livestock use will be distributed based on pumping of the wells. These wells include Dickenson Well, Sunshine Well and North Spring Pipeline.
   b. Livestock will either start in the west portion of East Jakes Pasture and proceed east, shutting off waters as livestock are moved; or start east and proceed west, shutting off waters as livestock are moved
   c. Livestock will be distributed between waters in the Divide Pasture and then herded into the Antelope Pasture, closing gates to exclude them from the Divide Pasture. Within the Antelope Pasture, livestock will either start in the north portion and move south or start in the south and move north.
6. Maximum allowable use levels will be as follows:
   a. Winterfat and key perennial grasses during winter use: 50% of the current year's growth
   b. Bitterbrush and key perennial grasses during summer use: 45% of the current year's growth
   c. Perennial non-native seedings: 60% of the current year's growth
   d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.
7. Flexibility in grazing seasons will be allowed, not exceed active AUMs, if it is consistent with meeting the Multiple Use Objectives for the allotment and agreed upon by the BLM and the permittee.
8. Annual grazing use billings will be based on actual use for the period beginning March 1 and ending February 28. Actual Use Reports will be due by March 15 each year.
9. Annual grazing will be completed with consultation, coordination, and cooperation between the BLM and the grazing permittee.

2.3. Description of Alternatives Analyzed in Detail

2.3.1. No Grazing Alternative

The Moorman Ranch grazing permit would be terminated and associated livestock grazing use on the Moorman Ranch Allotment would be eliminated. Also see Alternative D throughout the Ely RMP/EIS.

2.4. Alternatives Considered but not Analyzed in Detail

2.4.1. No Action Alternative

The no action alternative for livestock grazing permit renewals is defined as "continuing to graze under current terms and conditions" by IM-2000–022, Change 1 (reauthorized by IM-2010–063). The Proposed Action is only proposing minor changes to this grazing permit, therefore this alternative is being dismissed because it is substantially similar in design and would have similar effects to the Proposed Action. The current grazing permit and terms and conditions are as follows:

Table 2.2. Summary of the Current Grazing Permit on the Moorman Ranch Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land[a]	Type Use	AUMs[b]
Moorman Ranch 00802	841 Cattle	03/01 to 02/28	100	Active	10092

Allotment AUMs Summary				
Allotment Name	**ACTIVE AUMS**	**VOLUNTARY NON-USE AUMS**	**SUSPENDED AUMS**	**GRAZING PERMITTED USE**
Moorman Ranch	4749	5350	0	10099

[a]% Public Land is the percent of public land for billing purposes.

[b]AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions:

Permitted use for the Moorman Ranch Allotment is 10,092. Active use for the Moorman Ranch Allotment will continue to be 4,749 AUMs. 5,350 AUMs will continue to be placed in voluntary non-use for the ten year period of the term permit.

The period of use will continue as yearlong. The deferred rotation grazing system will continue between the seven native pastures and the four seeded pastures. Winter and spring use areas include Long Valley, West Jakes, and Burned Basin. The Antelope/Divide, Trench, and East Jakes Use Areas will be grazed during spring/summer/fall periods. Fall use areas include Buster Mountain, Illipah Seeding, Moorman Ranch Seeding, Townsend Seeding, and East Jakes Seeding.

Active use will be authorized by use area as follows:

USE AREA	PERIOD OF USE	AUMS
Long Valley	10/15 — 04/15	1366
West Jakes	09/01 — 04/15	644
Antelope/Divide	05/16 — 10/15	600***
Trench	05/16 — 10/15	183
Burned Basin	09/01 — 04/15	148
Townsend Seeding	*	477
M. Ranch Seeding	*	343
East Jakes	05/16 — 10/15	300***
East Jakes Seeding	*	169
Buster Mountain	**	394
Illipah Seeding	**	125

* Period of use will be limited to (5/1 – 6/15) and (9/1 – 10/31).
** A four year rotation system will be established in conjunction with the permittees Forest Service allotments as outlined below.
*** These stocking rates apply only if water hauling is utilized.

Long Valley Use Area:
Grazing use will continue as fall/winter with the season of use from 10/15 to 04/15 in the Long Valley Use Area. Active use for Long Valley Use Area will not exceed 1,366 AUMs.

West Jakes Use Area:
Livestock use will continue as fall/winter use with a season of use from 09/01 to 04/15. Active use will remain at 644 AUMs.

Antelope/Divide:
The livestock season of use will continue as spring/summer/fall (05/16 to 10/15). Active use will continue to be authorized at 600 AUMs if water is hauled and 492 AUMs if water is not hauled. Full use of the 600 AUMs will be based on the following stipulations: Water will either be available in the stock pond located at T18N, R58E, Sec. 11 NWNW or will hauled to a suitable location to be decided by the rangeland management specialist and the permittee in the northern portion of the Divide Use Area. Water will either be hauled to T19N, R58E, Sec. 33 NESW or pumped from the existing well (at the same location) by the mine as in the past. Livestock will be distributed between waters in the northern and southern portions of the Divide Use Area and then herded into the northern portion of the Antelope Use Area and then south. Gates will be closed to exclude livestock from the Divide Use Area once they have been moved into the Antelope Use Area.

Trench Use Area:
The livestock season of use will continue as spring/summer/fall (05/16 to 10/15). Active use will continue to be authorized at 183 AUMs.

Burned Basin:
Livestock use in Burned Basin Use Area will be fall/winter/spring (09/15 to 04/15). Active use will not exceed 148 AUMs.

East Jakes Use Area:
The livestock season of use will continue as spring/summer/fall (05/16 to 10/15). Active use will not exceed 300 AUMs if water is hauled and 147 AUMs if water is not hauled. Full use of the 300 AUMs will be based on the establishment of two water haul sites. One will be located at Townsend Well T18N, R60E, Sec. 10 and the other will be located south of Highway 50 in the vicinity of T18N, R60E, Sec. 14. The rangeland management specialist and the permittee will agree upon the specific location. Livestock will either start in the west portion of East Jakes Use Area and proceed east, shutting off waters as livestock are moved, or start east and proceed west, shutting off waters as livestock are moved.

Townsend Seeding:
The livestock season of use will be limited to (5/1 to 6/15) and (9/1 to 10/31). Active use will not exceed 477 AUMs.

Moorman Seeding:
The livestock season of use will be limited to (5/1 to 6/15) and (9/1 to 10/31). Active use will not exceed 343 AUMs.

East Jakes Seeding:
The livestock season of use will be limited to (5/1 to 6/15) and (9/1 to 10/31). Active use will not exceed 169 AUMs.

Buster Mountain Use Area:
A four-year rotation system has been established in conjunction with the permittee's Forest Service allotments as outlined in the table below. Active Use will continue at 394 AUMs.

YEAR	SEASON OF USE
1	06/16 — 07/24
2	07/01 — 08/08
3	07/26 — 09/02
4	09/06 — 10/14

Illipah Seeding Use Area:
A four-year rotation system has been established in conjunction with the permittee's Forest Service allotments as outlined in the table below. Active Use will continue at 125 AUMs.

YEAR	SEASON OF USE
1	09/30 — 10/14
2	06/16 — 06/30
3	07/11 — 07/25
4	08/22 — 09/05

Grazing use will be in accordance with the Northeastern Great Basin Area Standards and Guidelines, and with the Final Multiple Use Decision dated October 21, 1997.

The aforementioned Great Basin Area Standards and Guidelines for grazing administration were developed by the respective Resource Advisory Council and were approved by the Secretary of the Interior on February 12, 1997.

2.4.2. Actual Use Alternative

A review of the actual use data for the past ten years on the Moorman Ranch Allotment (Table 2.3, "Summary of Moorman Ranch Allotment Actual Use "), indicates that a majority of the active AUMs permitted to the Moorman Ranch are being used annually. Also, grazing use was not found to be a significant contributing factor to the non-attainment of any rangeland health standards. Therefore an alternative to adjust permitted grazing to actual use levels would not be distinguishable from the proposed action and is being dismissed from further analysis.

Table 2.3. Summary of Moorman Ranch Allotment Actual Use

Grazing Year (Mar. 1 to Feb. 28)	Actual Use	% of Permitted
2002	4422	93%
2003	3863	81%
2004	3835	81%
2005[a]	–	–

Grazing Year (Mar. 1 to Feb. 28)	Actual Use	% of Permitted
2006	3654	77%
2007	3857	81%
2008	2711	57%
2009	3596	76%
2010	1752	37%
2011	3117	67%

[a]this Actual Use data has been lost

2.5. Conformance

This action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed August 20, 2008, which states, "Manage livestock grazing on public lands to provide for a level of livestock grazing consistent with multiple use, sustained yield, and watershed function and health." In addition, "To allow livestock grazing to occur in a manner and at levels consistent with multiple use, sustained yield, and the standards for rangeland health (p 85-86)."

Management Action LG-1 states, "Make approximately 11,246,900 acres and 545,267 animal unit months (AUMs) available for livestock grazing on a long-term basis."

Management Action LG-5 states, "Maintain the current grazing preference, season-of-use, and kind of livestock until the allotments that have not been evaluated for meeting or making progress toward meeting the standards or are in conformance with the policies are evaluated. Depending on the results of the standards assessment, maintain or modify grazing preference, seasons-of-use, kind of livestock and grazing management practices to achieve the standards for rangeland health. Changes, such as improved livestock management, new range improvement projects, and changes in the amount and kinds of forage permanently available for livestock use, can lead to changes in preference, authorized season-of-use, or kind of livestock. Ensure changes continue to meet the RMP goals and objectives, including the standards for rangeland health."

2.5.1. Other Laws, Regulations, Policies, and Plans

- Taylor Grazing Act of 1934, as amended
- Federal Land Management Policy Act of 1973, as amended
- 43 CFR 4110 Qualifications and Preference
- 43 CFR 4130 Authorizing Grazing Use
- Standards and Guidelines for Nevada's Northeastern Great Basin Area (1997)
- IM-2000–022, Change 1, Compliance with the National Environmental Policy Act (NEPA) – Addressing Alternatives for Livestock Grazing Permit Renewals; reauthorized by IM-2010–063
- IM-2012–043, Greater Sage-Grouse Interim Management Policies and Procedures
- Nevada State Protocol Agreement between the BLM and the Nevada State Historic Preservation Office (January 2012)

Chapter 3. Affected Environment and Environmental Effects

3.1. Project Area Description

The project area is defined by the Moorman Ranch Allotment Boundary (see Map A.1, "Moorman Ranch Allotment" and Section 1.1.1, "Location of Proposed Action"). This area is typical of the Great Basin with elevations ranging from over 8,000 feet on Buster Mountain to approximately 6,000 feet in Long Valley. Average precipitation ranges from about eight inches in the valley bottom to over 16 inches in the mountains.

3.2. Resources/Concerns Considered for Analysis

The following items have been evaluated for the potential for significant impacts to occur, either directly, indirectly, or cumulatively, due to implementation of the proposed action. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general and to the Ely BLM in particular.

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Air Quality	No	The proposed and alternative actions would not affect the air quality in White Pine County, Nevada.
Areas of Critical Environmental Concern (ACEC)	No	Resource not present
Cultural Resources	No	A Cultural Needs Assessment was completed for this term permit renewal (8111[NV-043] NANV04FY08-75) and additionally reviewed in November 2011. Monitoring of sites would occur to identify and protect against potential adverse effects.
Forest Health	No	Resource not present
Rangeland Health	Yes	Rangeland Health requires a detailed analysis to make a reasoned choice between alternatives, see Section 3.3, "Rangeland Health"
Migratory Birds (including Bald and Golden Eagles)	No	Several species of migratory birds are known to have a distribution that overlaps with the project area. Long-term population trends of migratory birds would not be affected by proper livestock grazing management practices. The grazing management practices outlined in the proposed and alternative actions would minimize any potential for effects to migratory bird habitats.
Native American Religious Concerns and other concerns	No	No concerns were expressed during tribal coordination.
FWS Listed or Proposed for listing Threatened or Endangered Species or critical habitat.	No	Resource not currently known to be present
Wastes, Hazardous or Solid	No	Resource concern not present. Also see number 5 under Section 2.1.3, "Terms and Conditions Common to All Grazing Allotments (Ely District)".
Water Quality, Drinking/Ground	No	The proposed and alternative actions would not affect groundwater sources. No surface water sources are used for human domestic use. No water quality issues in the project area were identified by the State of Nevada (also see Ely RMP/EIS page 4.3–5 and 4.3–11 to 4.3–12)
Wilderness	No	Resource not present.
Lands with Wilderness Character	No	According to 1979 Nevada Intensive Wilderness Inventory, the project area was determined to not possess wilderness character and the inventory units were released from Wilderness Study Area consideration in 1980.

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Environmental Justice	No	No disproportionately high adverse human health or environmental effects to minority or low-income populations would occur.
Floodplains	No	Resource not present
Wetlands/Riparian Zones	No	Riparian resources associated with five springs and Illipah Creek were assessed in 2010. Riparian areas were considered in the Moorman Ranch SDD and found to be meeting the standards for rangeland health. Continued achievement of these standards would contribute to the proper functioning of riparian areas.
Noxious and Invasive Weed Management	No	The Weed Risk Assessment for this project directed the design features found in Section 2.1.1, "Invasive, Non-Native Species and Noxious Weeds". These measures are designed to limit the spread of weeds. No additional site specific concerns have been identified above those disclosed in the Ely RMP/EIS on pages 4.21–4 and 4.21–10. Also see Map A.2, "Moorman Ranch Allotment Weed Inventory".
Special Status Plant Species, other than those listed or proposed by the FWS as Threatened or Endangered	No	Resource not currently known to be present
Wild Horses	No	Approximately 78,400 acres of the project area is within the Triple B HMA. The project area is also adjacent to the Pancake HMA and Monte Cristo WHT. Site specific examination of the project area did not reveal any concerns above those disclosed in the Ely RMP/EIS on pages 4.8–6 and 4.8–14.
Soil Resources	No	The design of the proposed and alternative actions lessen the intensity of any potential soil compaction and erosion minimizing overall affects to soil resources and allowing for their resiliency to grazing effects in the project area. Also see the Ely RMP/EIS on pages 4.4–4 and 4.4–12.
Prime and Unique Farmlands	No	There are approximately 6,950 acres of prime farmland in the project area. Livestock grazing would not impact prime farmland characteristics.
Special Designations other than Designated Wilderness and ACEC	No	Resource not present
Visual Resources	No	The proposed and alternative action are in conformance with the VRM class objectives for the project area, therefore there would be no impacts to the visual quality of the area.
Special Status Animal Species, other than those listed or proposed by the FWS as Threatened or Endangered	Yes	Greater sage-grouse and pygmy rabbit habitats require a detailed analysis to determine environmental effects, see Section 3.4, "Special Status Species"
Fish and Wildlife	No	The grazing management practices outlined in the proposed and alternative actions would minimize any potential for effects to general fish and wildlife habitats in the project area. Specifically, continuation of non-use, grazing rotation, and use levels on bitterbrush will continue to limit potential conflict with mule deer in the project area. Also see the Ely RMP/EIS on pages 4.6–10 to 4.6–13 and 4.6–31.
Lands and Realty	No	No effect to lands and realty
Recreation Uses	No	Recreation uses in the project area would not be affected by the proposed or alternative action.
Paleontological Resources	No	Currently there are no identified paleontological resources within the project area.
Mineral Resources	No	No effect to mineral resources

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Vegetative Resources	No	Site specific examination of the project area did not reveal any concerns above those disclosed under Section 3.3, "Rangeland Health" and in the Ely RMP/EIS on pages 4.5–9 and 4.5–27.
Wild and Scenic Rivers	No	Resource not present
Socioeconomics	No	Site specific examination did not reveal any concerns above those in the Ely RMP/EIS on pages 4.23–10 and 4.23–19 to 4.23–20.

3.3. Rangeland Health

3.3.1. Affected Environment

The Moorman Ranch Allotment is within Nevada's Northeastern Great Basin Area and an assessment of rangeland health was completed for this allotment as a Standards Determination Document (SDD) in 2012. This assessment determined the achievement of standards for rangeland health and identified whether or not livestock grazing was a contributing factor to any non-attainment. Standard 1—Upland Sites—is being achieved. Standard 2—Riparian and Wetland Sites—is being achieved. Standard 3—Habitat—is not being achieved, but is making significant progress towards achievement. Current livestock grazing has not been identified as a contributing factor to the non-attainment of Standard 3. The SDD provides recommendations to continue livestock grazing to meet or make progress towards the achievement of Standards for Rangeland Health.

Generally major plant communities across the project area show a tendency for shrub and/or tree dominance. This transition is most likely due to the absence of fire or other disturbance cycles that result in less woody vegetation and more herbaceous vegetation. Current grazing management is focused on enhancing or maintaining current conditions to continue to meet or make progress towards the standards for rangeland health while providing for multiple use, sustained yield, and watershed function and health.

3.3.2. Environmental Effects

Also see Section 4.16 of the Ely RMP/EIS

3.3.2.1. Proposed Action

The proposed action is based on the recommendation from the 2012 Moorman Ranch Allotment SDD. This alternative is designed to allow for continued achievement of or progress towards Standards for Rangeland Health. The proposed action continues the current voluntary non-use agreement, water hauling practices, and grazing rotation which are key to proper grazing management and achievement of Standards for Rangeland Health. Under proper grazing management, timing, intensity, duration, and frequency can successfully manage vegetation to maintain desired vegetation states (Ely RMP/EIS page 4.5–9).

The proposed action also continues maximum allowable use levels. Allowable use levels allow for desirable key species to retain above ground biomass to continue photosynthetic processes and develop roots to improve carbohydrate storage for vigor, reproduction, and increase desirable perennial cover as well as to contribute to litter cover for soil protection and health (Standard

1). This improved carbohydrate storage and resulting increased vigor, reproduction, and cover also contributes to long-term vegetative production of herbaceous species (Standard 3). The establishment of use levels allows for better management of rangeland resources because they are tied to forage availability rather than a set AUM amount. These levels allow for flexibility to accommodate annual range conditions; prevent overgrazing; and safeguard residual forage for wildlife habitat, plant recovery and productivity, and watershed function.

3.3.2.2. No Grazing Alternative

The no grazing alternative terminates this grazing permit and causes associated grazing use to cease. Courtois et al. (2004) found that 65 years of protection from grazing on 16 exclosures at different locations across Nevada resulted in relatively few differences between vegetation inside the exclosures and that exposed to moderate grazing outside the exclosures. Where differences occurred, total vegetation cover was greater inside the exclosures while density was greater outside the exclosures. Protection from grazing failed to prevent expansion of cheatgrass into the exclosures (Ely RMP/EIS page 4.5–27). Another literature review by Anderson (1993) suggests that after a period of time, ungrazed herbaceous, fiberous-rooted plant species become decadent and stagnant. This results in reduced annual above-ground production (Standard 3) and a reduction in essential features of vegetational cover (Standard 1), including the replacement of soil organic matter and surface residues, and optimum capture of precipitation (Anderson 1993).

3.4. Special Status Species

3.4.1. Affected Environment

Greater Sage-Grouse

The Greater Sage-Grouse is a high-profile, sensitive species currently considered to be warranted for listing as Threatened or Endangered but listing is precluded by other species of higher priority (USDI 2010). It has been identified as an "umbrella" species by the Ely District BLM, and chosen to represent the habitat needs of the sagebrush (*Artemisia spp.*) obligate or sagebrush/woodland dependent guild (Ely RMP/EIS page 4.7-10).

The Moorman Ranch Allotment lies within the Butte Valley/Buck Mountain/White Pine Range Sage-Grouse Population Management Unit (PMU). Twelve sage-grouse leks are known to occur within the allotment (two active, one inactive, and nine of unknown status). Additionally one active lek occurs within two miles of the allotment boundary. Approximately 58,260 acres within the Moorman Ranch Allotment have been identified as preliminary priority habitat (PPH) for sage-grouse habitat management with an additional approximately 21,440 acres of preliminary general habitat (PGH). This is about 65 percent of the allotment identified as PPH/PGH (Map A.3, "Moorman Ranch Allotment Sage-Grouse Habitat").

The sage-grouse breeding and nesting period is generally considered to be approximately March 15 through May 31. The brood-rearing period is generally considered to be June 1 through October 31. The wintering period is generally considered to be November 1 through March 14.

Connelly et al. (2000) sets forth guidelines for productive sage-grouse habitat in what is commonly known as the "Connelly Guidelines." Guidelines related to the sage-grouse habitats found on the Moorman Ranch Allotment are summarized in Table 3.1, "Characteristics of

sagebrush rangeland needed for productive sage-grouse habitat (Connelly 2000)". There has been much debate as the applicability of these guidelines to sagebrush rangelands in Nevada (Schultz 2004) so it should be emphasized that these are merely guidelines and not standards. This was also implied by Connelly et al. (2000) in their expression of the need for local biologist and range ecologists to use local data and knowledge to make management recommendations.

Table 3.1. Characteristics of sagebrush rangeland needed for productive sage-grouse habitat (Connelly 2000)

	Breeding		Brood-rearing		Winter (exposed above snow)	
	Height (inches)	Canopy Cover (%)	Height (inches)	Canopy Cover (%)	Height (inches)	Canopy Cover (%)
Sagebrush	11–32	15–25	16–32	10–25	10–14	10–30
Grass/Forb	>7	≥15	variable	>15	N/A	N/A
% seasonal habitat needed with these conditions	>80%		>40%		>80%	

When compared to monitoring data collected in sage-grouse habitat on the Moorman Ranch Allotment, these guidelines are generally not being met for various reasons (Table 3.2, "Sage-Grouse Habitat Data on the Moorman Ranch Allotment"). All sites with low sagebrush cover and/or short sagebrush height occur in areas of past vegetation treatment (crested wheatgrass seeding or recent mechanical treatment), however these areas also show a high herbaceous understory cover. Areas with excess sagebrush cover occur across the sagebrush habitats on the Moorman Ranch Allotment with some areas also showing a corresponding decrease in herbaceous understory. Some sites are meeting these guidelines (see Moorman Ranch Allotment SDD, Standard 3).

Table 3.2. Sage-Grouse Habitat Data on the Moorman Ranch Allotment

Sage-Grouse Habitat Monitoring Point	Year Data Collected	Sagebrush		Grass		Forb	
		Cover	Average Height (inches)	Cover	Average Height (inches)	Cover	Average Height (inches)
SG-MR-02	2011	18%	19	10%	8	9%	1
SG-MR-04	2011	17%	15	28%	10	10%	13
SG-MR-06[a]	2011	37%	12	22%	11	3%	2
SG-MR-09	2011	24%	13	4%	9	7%	3
SG-MR-10	2011	25%	14	13%	8	8%	5
SG-LV-20	2011	19%	14	11%	4	0	0
MR-02[a]	2011	10%	14	21%	7	5%	1
	2009	23%	8	21%	7	0	0
MR–03[a]	2011	7%	11	27%	8	3%	2
	2009	19%	7	21%	8	0	0
MR–05	2011	38%	22	41%	10	4%	6
	2009	30%	14	22%	4	2%	3
MR–06	2011	18%	21	27%	11	9%	3
	2009	20%	11	6%	5	9%	5
MR–08	2011	23%	25	14%	8	9%	3
	2009	19%	12	14%	4	1%	1
MR–09	2011	27%	18	29%	10	0	0
	2009	15%	13	12%	2	0	0
MR–14[a]	2011	20%	9	15%	11	1%	8
	2009	31%	6	12%	10	0	0
MR–15[a]	2011	19%	15	18%	10	0	0
	2009	18%	14	15%	6	0	0

Sage-Grouse Habitat Monitoring Point	Year Data Collected	Sagebrush		Grass		Forb	
		Cover	Average Height (inches)	Cover	Average Height (inches)	Cover	Average Height (inches)
MRST-1	2009	39%	21	14%	3	10%	4
MRST-2	2009	49%	7	5%	6	0	0
MRST-3	2009	24%	11	2%	4	0	0
MRST-4[b]	2011	3%	7	31%	9	8%	5
JAKS01	2011	20%	20	41%	15	9%	11
JAKS08	2011	32%	14	1%	8	0	0

[a]occurs in a crested wheatgrass seeding

[b]this area was mowed in 2008 as a habitat enhancement project

Additionally, observations have been made on the Moorman Ranch Allotment that indicate some areas are supporting trees and mixed shrubs resulting in poor sage-grouse habitat. No qualitative data was collected at these locations due the high tree cover.

Pygmy Rabbit

According to Larrucea and Brussard (2008) data, nine pygmy rabbit occurrences have been documented in the Jakes Valley portion of the Moorman Ranch Allotment (Map A.4, "Moorman Ranch Allotment Pygmy Rabbit Occurrences") with populations likely occurring throughout suitable habitat over the whole allotment. Pygmy rabbit habitat is defined by areas with dense, tall sagebrush for food and cover and deep, loose soils for digging burrows. Larrucea and Brussard (2008) also suggests that pygmy rabbits occupy sites with a high sagebrush cover and limited understory. While sagebrush is a major food source for pygmy rabbits year round, grasses and forbs comprise a large portion of their summer diet (Green and Flinders, 1980). The extent and condition of pygmy rabbit habitat across the Moorman Ranch Allotment has not been determined.

3.4.2. Environmental Effects

Also see Ely RMP/EIS page 4.6–11 and 4.7–30

3.4.2.1. Proposed Action

Greater Sage-Grouse

Potential direct effects to sage-grouse from cattle grazing include, flushing birds from lek sites and/or nests and stepping on a nest. Grazing under the proposed action is dispersed so the likelihood of sage-grouse/cattle contact would be limited.

The proposed action could also potentially alter the vegetative components of the sage-grouse habitat. This potential is limited by design features of the proposed action including, continued non-use, grazing rotation, and maximum allowable use levels. Achievement of or progress towards rangeland health standards (including the Habitat Standard) would enhance or maintain sage-grouse habitat across the project area (see Section 3.3, "Rangeland Health").

IM-2012-043 says, "Evaluate the potential risk to Greater Sage-Grouse and its habitats from existing structural range improvements. Address those structural range improvements identified as posing a risk during the [permit] renewal process." No structural range improvements have been identified as posing a risk to sage-grouse on the Moorman Ranch Allotment (Map A.5, "Moorman Ranch Allotment Range Improvements").

Pygmy Rabbit

The rotational grazing system outlined by the proposed action and the dispersed nature of livestock grazing on the Moorman Ranch Allotment would reduce the potential for livestock related burrow collapse. Under the proposed action, the likelihood of cattle using the type of habitat described by Larrucea and Brussard (2008) would be rare, because forage availability is restricted in areas of limited understory. Therefore direct impacts to pygmy rabbits and their habitat from livestock grazing should be minimal.

The proposed action is designed to allow for sufficient grasses and forbs for pygmy rabbit foraging by limiting grazing and setting utilization levels. The grazing management practices outlined in the proposed action are designed to maintain or move the vegetative conditions toward the standards for rangeland health (including the Habitat Standard; see Section 3.3, "Rangeland Health").

3.4.2.2. No Grazing Alternative

Greater Sage-Grouse

The no grazing alternative would eliminate cattle grazing in the project area therefore eliminates the potential effects described above to sage-grouse and their habitats (Ely RMP/EIS page 4.6–31 and 4.7–80). Also see Section 3.3, "Rangeland Health" for potential effect to rangeland health standards (including the Habitat Standard).

Pygmy Rabbit

The no grazing alternative would eliminate cattle grazing in the project area therefore eliminates the potential effects described above to pygmy rabbits and their habitats (Ely RMP/EIS page 4.6–31 and 4.7–80). Also see Section 3.3, "Rangeland Health" for potential effect to rangeland health standards (including the Habitat Standard).

Chapter 4. Cumulative Effects

4.1. Introduction

According to the 1994 BLM publication (attached to WO-IB-94-310) "Guidelines for Assessing and Documenting Cumulative Impacts," the cumulative analysis can be focused on those issues and resource values identified by management, the public and others during scoping that are of major importance."

Additionally, the guidance provided in the National BLM NEPA Handbook H-1790-1 (2008), for analyzing cumulative effects issues states, "determine which of the issues identified for analysis may involve a cumulative effect with other past, present, or reasonably foreseeable future actions. If the proposed action and alternatives would have no direct or indirect effects on a resource, you do not need a cumulative effects analysis on that resource" (p.57). Also, a comprehensive cumulative impacts analysis can be found in section 4.28 of the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (2007).

For the purpose of this analysis, the cumulative effects study area (CESA) is spatially defined below (Map A.6, "Cumulative Effects Study Areas for the Moorman Ranch Grazing Permit Renewal") and temporally defined by the ten-year term of the proposed grazing permit.

Resource Concerns/Issue	CESA	Justification
Rangeland Health	Moorman Ranch Allotment	This project would potentially affect rangeland health within the Moorman Ranch Allotment.
Sage-Grouse	Butte Valley/Buck Mountain/White Pine Range PMU	This project would potentially affect sage-grouse across the PMU. PMUs are designed to delineate distinct sage-grouse populations.
Pygmy Rabbit	Long Valley and Jakes Valley	This project would potentially affect pygmy rabbits across these two valleys. Pygmy rabbit populations are likely connected within the large valleys in this region.

4.1.1. Past Actions

Livestock grazing operations in eastern Nevada developed during the mid- to late-1800s. The Ely RMP/EIS summarizes livestock grazing history in the region on pages 3.16–1 to 3.16–3.

Range improvement projects have been implemented across the CESAs to improve grazing management, including spring developments, fencing, and vegetation treatments.

The Ely RMP/EIS summarizes wild horse history in the west, specifically on the Ely District, on pages 3.8–1 to 3.8–7. Wild horse use has occurred throughout the CESAs since the 1800s. The Triple B/Maverick-Medicine Wild Horse Gather was conducted in 2011 and the Pancake Complex Wild Horse Gather was conducted in 2012 to remove excess wild horses from these areas.

Nevada is subject to variable precipitation with frequent drought periods. The most recent drought period occurred in 2007–2008. Figure 4.1, "Precipitation Data (1970-2010) from Western Regional Climate Center at Ely, NV" depicts the precipitation history of the area.

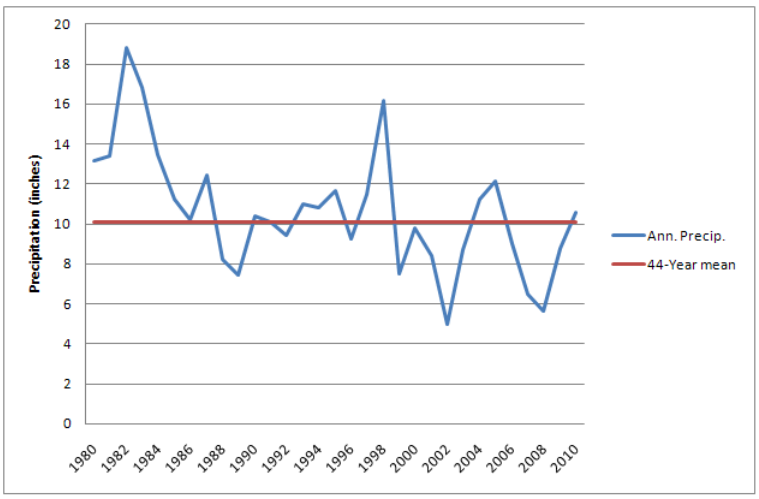

Figure 4.1. Precipitation Data (1970-2010) from Western Regional Climate Center at Ely, NV

Oil and gas exploration has occurred throughout the CESAs, however no wells have gone into production. The Ely RMP/EIS summarizes the history of oil and gas exploration on pages 3.18–7 to 3.18–9.

Highway 50 crosses the CESAs. This highway is fenced on both sides and serves as a pasture boundary for several pastures.

The Falcon to Gondor Utility Corridor also crosses the CESAs. There are two major powelines in this east-west corridor.

The Illipah Mine, now closed and rehabilitated, is located in the northwestern portion of the Moorman Ranch Allotment.

4.1.2. Present Actions

Table 4.1, "Summary of BLM Grazing Permits in the CESAs" summarizes the current BLM permitted grazing use on the allotments that partially or entirely overlap with the CESAs. There is additional livestock grazing on U.S. Forest Service and private lands within the CESAs.

Table 4.1. Summary of BLM Grazing Permits in the CESAs

Allotment Name	Allotment Number	BLM Grazing Authorization	Active AUMs	CESA		
				Rangeland Health	Sage-Grouse	Pygmy Rabbit
Badger Spring	00823	2704534	1412		X	X
Bald Mountain	14303	2701084	312		X	X
Big Rock Seeding	00428	2703115	142		X	
Big Rock Seeding	00428	2703360	340		X	
Big Rock Seeding	00428	2703367	62		X	
Big Rock Seeding	00428	2704455	77		X	

Allotment Name	Allotment Number	BLM Grazing Authorization	Active AUMs	CESA		
				Rangeland Health	Sage-Grouse	Pygmy Rabbit
Big Six Well	00812	2703457	140		X	
Brown Knoll	00831	2703458	161		X	
Butte Seeding	00507	2704534	275		X	
Cherry Creek	00403	2703222	748		X	
Cherry Creek	00403	2703360	2276		X	
Cherry Creek	00403	2703367	644		X	
Cherry Creek	00403	2703783	1600		X	
Cherry Creek	00403	2704455	639		X	
Cherry Creek	00403	2704539	290		X	
Chimney Rock	00914	2703462	1233		X	
Cold Creek	00603	2702966	5561		X	
Cold Creek	00603	2703638	242		X	
Copper Flat	00427	2703461	3033		X	X
Cove	00817	2703801	1544		X	
Currie	04311	2701084	2552		X	
Currie	04311	2703225	936		X	
Currie	04311	2703272	2016		X	
Dark Peak	00827	2703462	1826		X	
Dee Gee Spring	00815	2703457	200		X	
Douglas Canyon	00811	2704619	175		X	
Douglas Point	00810	2703800	368		X	
Dry Mountain	00609	2702966	1751		X	X
Duckcreek Flat	00412	2703735	1347		X	
Duckwater	00701	2700067	2356		X	
Duckwater	00701	2703175	2814		X	
Duckwater	00701	2703244	305		X	
Duckwater	00701	2703461	2124		X	
Duckwater	00701	2703638	1770		X	
Duckwater	00701	2704608	4619		X	
Duckwater	00701	2704617	4375		X	
Georgetown Ranch	00422	2703366	1675		X	
Giroux Wash	00826	2703461	5326		X	X
Goat Ranch	00421	2704523	213		X	
Gold Canyon	00413	2703115	1068		X	
Goshute Basin	00402	2700045	350		X	
Goshute Basin	00402	2703222	99		X	
Hardy Spring	11022	2704739	3478		X	
Heusser Mountain	00416	2703790	1486		X	
Horse Haven	00620	2703681	1038			X
Horse Haven	00620	2704556	18			X
Indian Creek	00401	2703222	106		X	
Indian Creek	00401	2704539	71		X	
Indian Jake	00804	2704632	1970		X	X
Jakes Unit Trail	00821	2700045	366		X	X
Jakes Unit Trail	00821	2704534	466		X	X
Lake Area	00910	2703462	2978		X	
Little White Rock	00913	2703462	904		X	

Allotment Name	Allotment Number	BLM Grazing Authorization	Active AUMs	CESA		
				Rangeland Health	Sage-Grouse	Pygmy Rabbit
Maverick Springs	00621	2704556	1500			X
Maverick/ Ruby #9	04323	2703712	2774		X	X
McQueen Flat	00805	2702550	495		X	
Medicine Butte	00501	2700045	7701		X	X
Middle Steptoe	00411	2702980	173		X	
Monte Cristo	00614	2704617	1129		X	
Moorman Ranch	00802	2704607	10099	X	X	X
Newark	00608	2700101	1138		X	X
Newark	00608	2703499	420		X	X
Newark	00608	2703638	648		X	X
Newark	00608	2703802	822		X	X
Newark	00608	2704520	6681		X	X
North Butte	00502	2700045	180		X	X
North Butte Valley	04308	2703522	2424		X	
North Cove	00816	2703457	1003		X	
Odgers	04328	no permit			X	
Preston	00806	2703457	97		X	
Preston	00806	2704619	50		X	
Preston	00806	2704632	43		X	
Preston Lund Trail	00822	2700045	410		X	
Preston Lund Trail	00822	2703461	732		X	
Preston Lund Trail	00822	2704534	427		X	
Railroad Pass	00601	2703638	1231		X	
Railroad Pass	00601	2704502	1800		X	
Railroad Pass	00601	2704520	511		X	
Rock Canyon	00808	2703458	432		X	
Sawmill Bench	00807	2703800	114		X	
Sheep Pass	00905	2700139	392		X	
Sheep Pass	00905	2704630	758		X	
Shingle Pass	00906	2704739	2724		X	
Six Mile	00613	2704554	1209		X	X
Six Mile Ranch	00814	2704601	162		X	
South Butte	00504	2704544	396		X	
South Butte Seeding	00506	2704544	245		X	
South Pancake	00615	2703638	1155		X	
Spruce	04346	2701085	57		X	
Spruce	04346	2703822	10908		X	
Steptoe	00415	2704459	2836		X	
Swamp Cedar	00832	2703457	192		X	
Thirty Mile Spring	00503	2704534	8405		X	X
Tom Plain	00803	2702550	4439		X	X
Valley Mountain	03248	2701030	4532		X	

Allotment Name	Allotment Number	BLM Grazing Authorization	Active AUMs	CESA		
				Rangeland Health	Sage-Grouse	Pygmy Rabbit
Warm Springs	00606	2702966	7709		X	X
Warm Springs Trail	00622	2702966	1865		X	X
Warm Springs Trail	00622	2703638	615		X	X
West Cherry Creek	04350	2700126	2674		X	
White Rock	00902	2703462	2228		X	
White Rock	00902	2703826	2128		X	
White Rock	00902	2704612	394		X	
White Rock	00902	2704623	872		X	
Willow Spring Seeding Addition	00825	2703457	103		X	
Willow Spring Seeding	00824	2704619	63		X	

Table 4.2, "Summary of Wild Horse Management in the CESAs" summarizes current wild horse management in areas that partially or entirely overlap with the CESAs.

Table 4.2. Summary of Wild Horse Management in the CESAs

Herd Management Area	Appropriate Management Level[a]	CESA		
		Rangeland Health	Sage-Grouse	Pygmy Rabbit
Antelope Valley (West)	16–27		X	
Diamond Hills South	10–22		X	
Jakes Valley HA	0		X	X
Maverick-Medicine	166–276		X	X
Monte Cristo WHT	72–96		X	
Pancake	240–493		X	
Triple B	250–518	X	X	X
White River HA	0		X	

[a]in number of horses

The Bald Mountain Mine is actively mining gold within the Sage-Grouse CESA and partially within the Pygmy Rabbit CESA. The Robinson Mine is actively mining copper within the Sage-Grouse CESA. Additional gold exploration is occurring at the Illipah Mine site, the Pan Project, the Gold Rock Project, the Bald Mountain Mine area, and the Limo Butte area within the CESAs.

Oil and gas leasing is on-going in the CESAs.

The Southwest Intertie Project (SWIP) power line corridor occurs in Jakes Valley and is immediately outside of the Moorman Ranch Allotment. This corridor is 0.5 miles wide with one power line currently under construction. The access road to the Robinson Summit Substation cross the East Jakes Seeding Pasture.

The Loneliest Highway Special Recreation Management Area occurs along Highway 50. Recreational activities in the CESAs include dispersed hunting, camping, wildlife viewing, hiking, and fishing.

Illipah Recreation Area occurs at Illipah Reservoir. Its primary uses are fishing, camping, and picnicking. The Ely Motorcycle SRP is within the Sage-Grouse CESA. This SRP area is used for recreational motorcycle races. The Garnet Hill Rockhouning Area is within the Sage-Grouse CESA.

4.1.3. Reasonably Foreseeable Future Actions

Livestock grazing and wild horse use are currently permitted and will reasonably continue throughout the CESAs.

The Pan Mine Project (Sage-Grouse CESA), the Bald Mountain Mine Expansion Project (Sage-Grouse and Pygmy Rabbit CESAs), and the Gold Rock Mine (Sage-Grouse CESA) proposals are currently being concerned and implementation is likely.

Further oil and gas leasing and exploration are expected in the area.

Occasional wildfires are likely to occur in the area.

Authorizing power lines within the SWIP corridor would likely continue through subsequent NEPA.

Dispersed recreation is expected to continue in the CESA with recreational activities concentrating at the Illipah Recreation Area and along Highway 50.

4.2. Rangeland Health

4.2.1. Proposed Action

Wild horse use also affects the overall rangeland health of the Moorman Ranch Allotment. Wild horse use has also been identified as a contributing factor to the non-attainment of rangeland health standards within the Rangeland Health CESA. As wild horse AMLs are achieved and maintained, effects to rangeland health should be minimized. The proposed action, in combination with managed wild horse use, would have minimal cumulative effects to rangeland health because the proposed action includes a rotational grazing system, a partial non-use agreement, water hauling requirements, and enforces maximum allowable use levels.

4.2.2. No Grazing Alternative

The no grazing alternative, in combination with wild horse use, would have minimal cumulative effects to rangeland health, because livestock grazing would be removed.

4.3. Special Status Species

4.3.1. Proposed Action

The proposed action, other livestock grazing permits, and wild horse management across the CESA are all designed to promote rangeland health and improve wildlife habitat, including sage-grouse and pygmy rabbit habitats. Other projects within the Sage-Grouse and Pygmy Rabbit

CESAs are designed to minimize or mitigate impacts to special status species and their habitats. The proposed action, in combination with these actions, would cumulatively have minimal effects to special status species and their habitats across the CESAs.

4.3.2. No Grazing Alternative

The no grazing alternative, in combination with cumulative projects, would have minimal cumulative effects to special status species habitats.

Chapter 5. Tribes, Individuals, Organizations, or Agencies Consulted

This preliminary EA is being provided for public review and comment via web posting. Notification letters are being sent to those parties on the Ely District Range Management Interested Public List for the Moorman Ranch Allotment.

Tribal Coordination Letters were sent December 12, 2011.

Table 5.1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Jack Neal	Moorman Ranch Manager	Provided input throughout
Wells Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
South Fork Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Winnemucca Indian Colony of Nevada	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Battle Mountain Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Skull Valley Band of Goshute Indians	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Chemehuevi Indian Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Moapa Band of Pauites	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Cedar City Band of Paiutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Kaibab Band of Pauites Indians	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Las Vegas Paiute Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Shivwits Band of Paiutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Indian Peaks Band	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Confederated Tribes of the Goshute Indian Reservation	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Te-Moak Tribes of the Western Shoshone Indians of Nevada	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Yomba Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Ely Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Elko Band Council, Te-Moak Tribe of Western Shoshone Indians	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Paiute Indian Tribe of Utah	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Duckwater Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Alan Jenne, Regional Biologist	Nevada Department of Wildlife	Sage-grouse Consultation

Chapter 6. List of Preparers

Table 6.1. List of Prepares

Name	Title	Responsible for the Following Section(s) of this Document
Amanda Anderson	Rangeland Management Specialist/Project Lead	Alternatives, Rangeland and Vegetative Resources; Invasive, Non-Native Species
Mark D'Aversa	Hydrologist	Air, Soil, Water, Riparan/Wetland Areas
Mindy Seal	Natural Resource Specialist	Environmental Justice, Land Use Planning, NEPA Compliance
Lisa Gilbert	Archeological Technician	Archeological, Historic, and Paleontological Resources
Ruth Thompson	Wild Horse Specialist	Wild Horses
Marian Lichtler	Wildlife Biologist	Wildlife, Migratory Birds, Special Status Species
Erin Rajala	Outdoor Recreation Planner	Recreation, VRM
Miles Kreidler	Geologist	Minerals
Elvis Wall	Native American Coordinator	Native American Religious Concerns, Tribal Coordination
Melanie Peterson	Environmental Protection Specialist	Wastes, Hazardous & Solid
Chris Mayer	Supervisory Rangeland Management Specialist	

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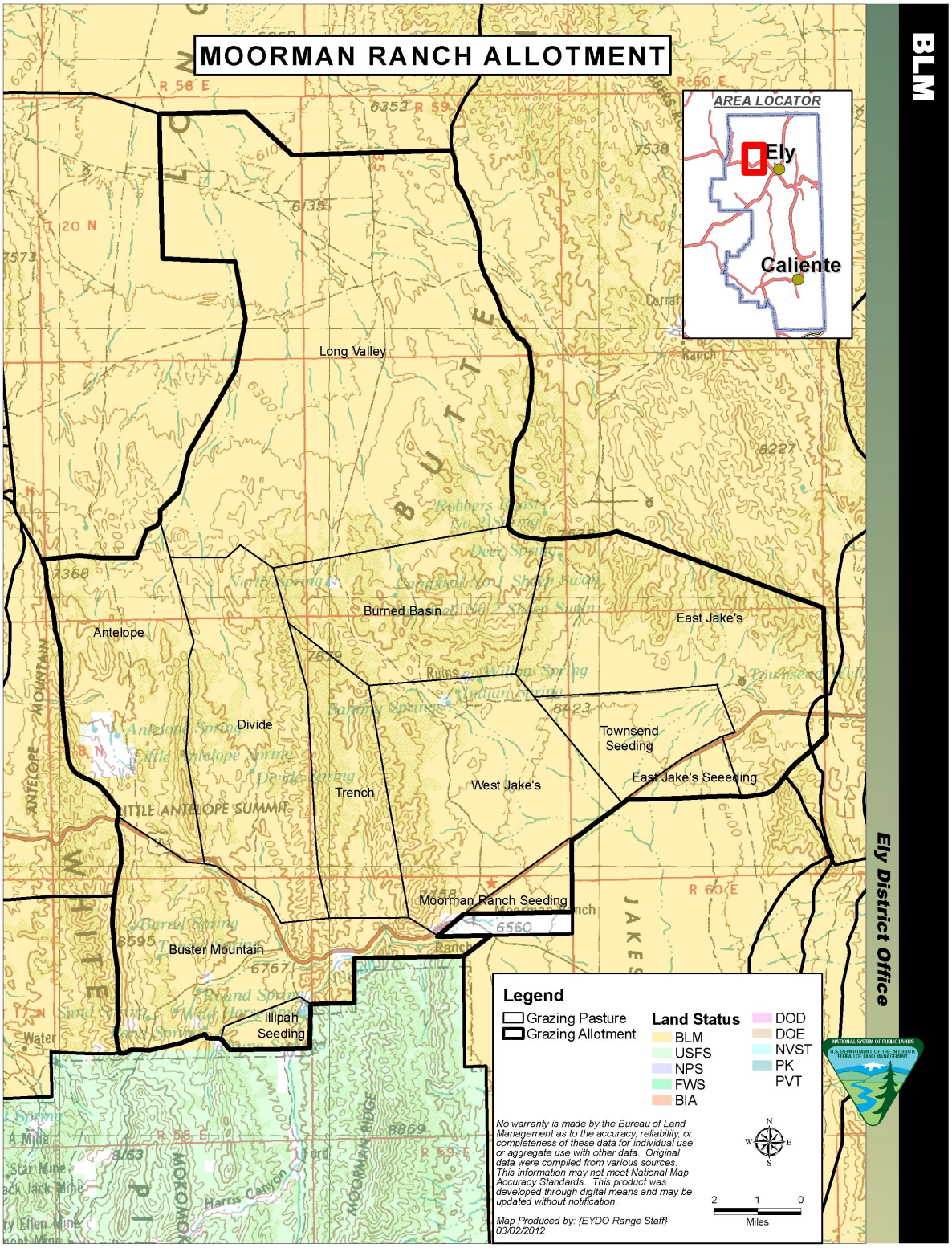
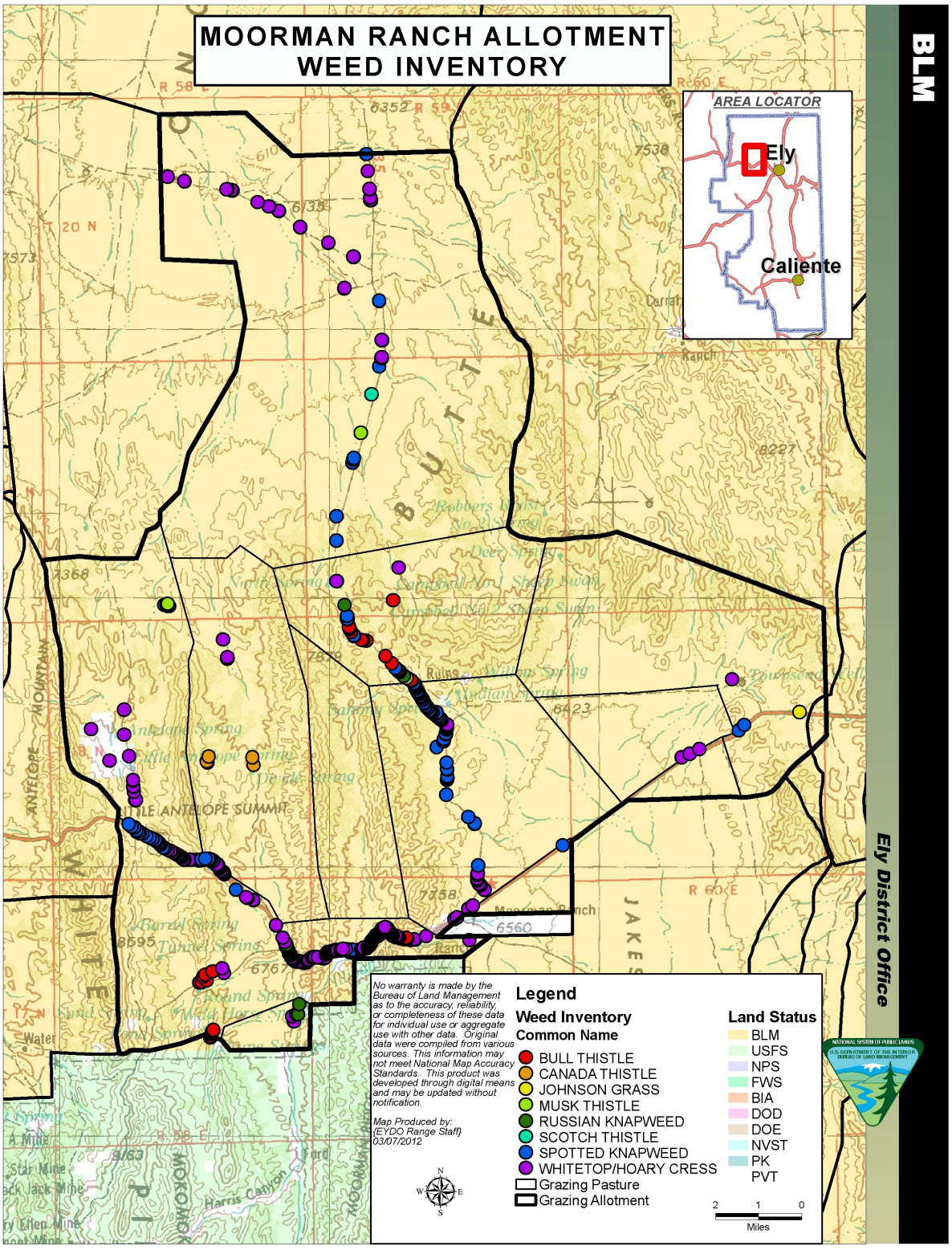
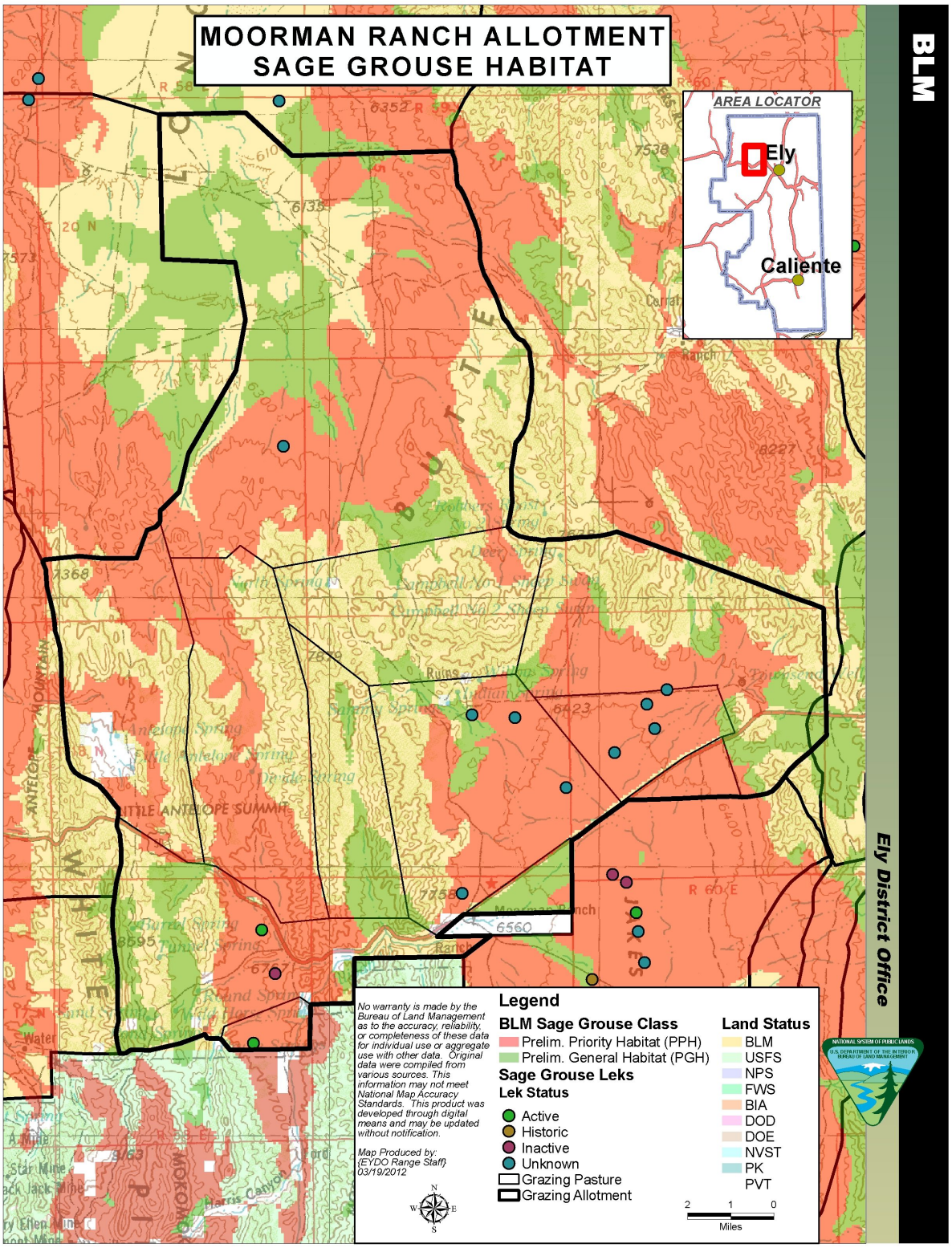
Appendix A. Maps



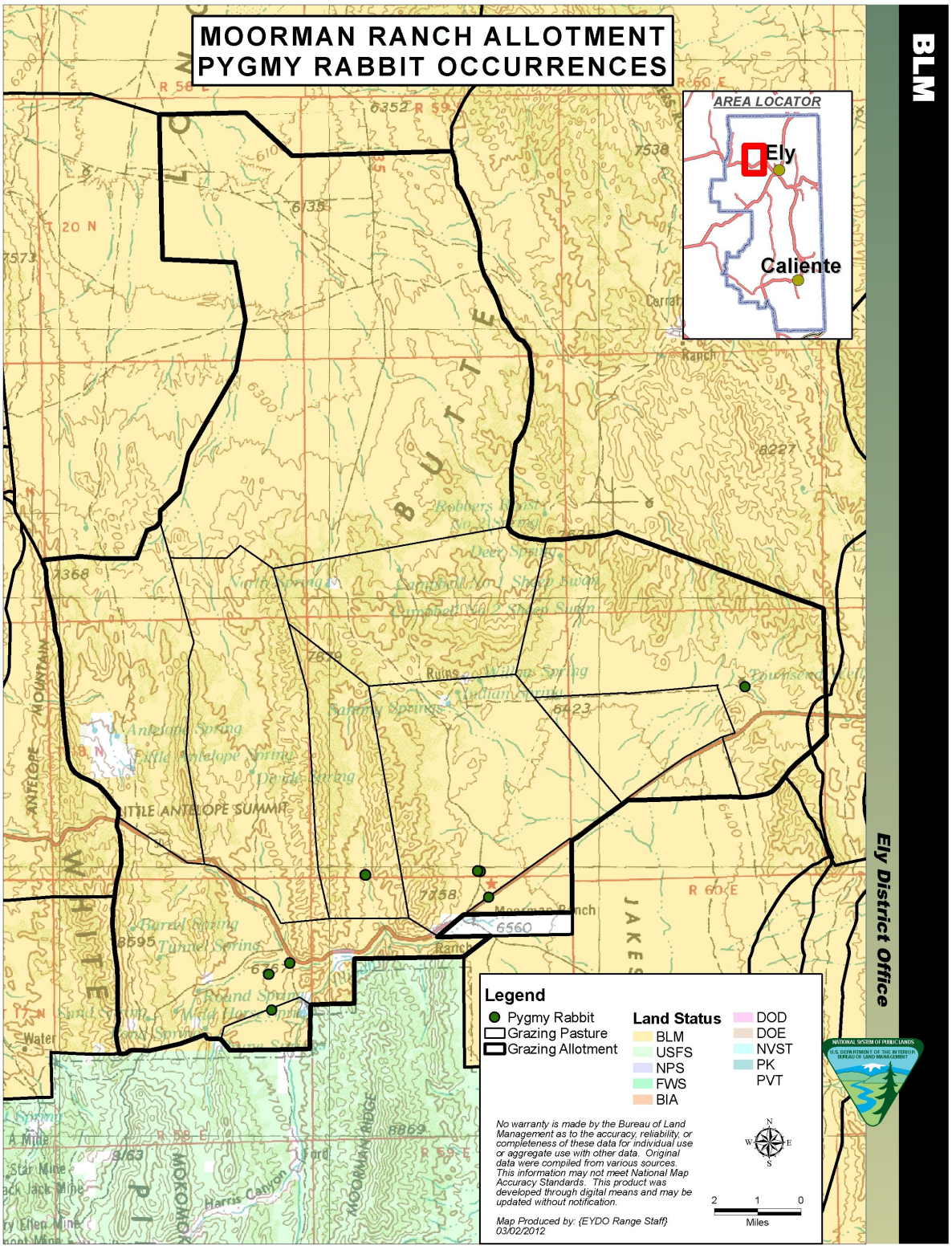
Map A.1. Moorman Ranch Allotment



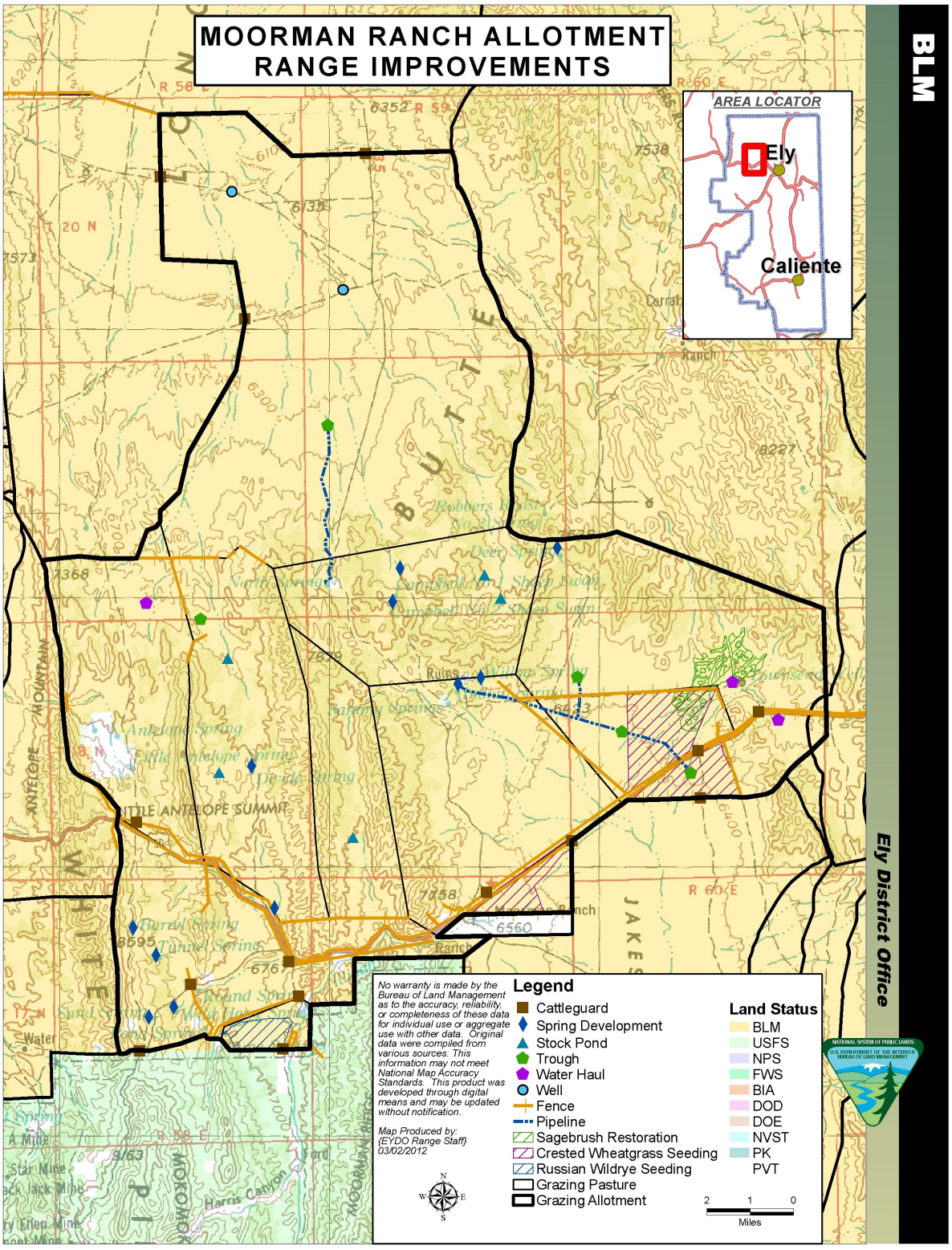
Map A.2. Moorman Ranch Allotment Weed Inventory



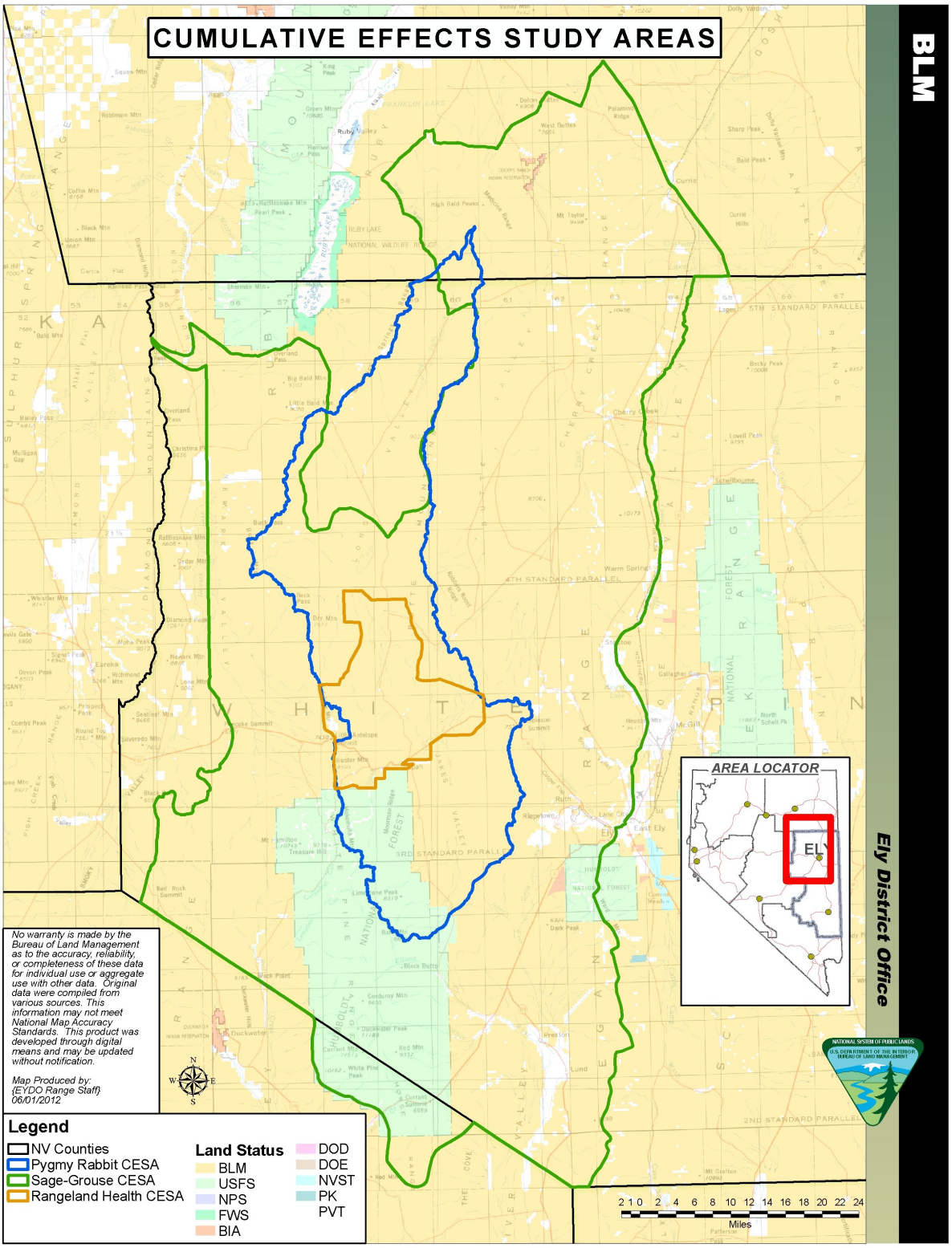
Map A.3. Moorman Ranch Allotment Sage-Grouse Habitat



Map A.4. Moorman Ranch Allotment Pygmy Rabbit Occurrences



Map A.5. Moorman Ranch Allotment Range Improvements



Map A.6. Cumulative Effects Study Areas for the Moorman Ranch Grazing Permit Renewal

Appendix B. Livestock Grazing Agreement

Moorman Ranch, LLC
Egan Field Office, BLM

I. Introduction

The purpose of this agreement is to document livestock grazing management for the Moorman Ranch, LLC on the Moorman Ranch Allotment for the ten year period 03/01/2013 to 02/28/2023. This agreement will outline livestock grazing management procedures on the Moorman Ranch Allotment. Management practices presented in this agreement will serve to maintain or achieve the Northeastern Great Basin Area Standards for Grazing Administration.

The Moorman Ranch Allotment includes 123,491 federal acres and 2,320 private acres for a total 125,811 acres. The grazing permit area occurs entirely within White Pine County and is situated approximately 20 miles west of Ely, Nevada. The southwestern portion of this allotment borders Forest Service lands. The area reaches from northern Jakes Valley into the southern portion of Long Valley and includes the extreme southern portion of the Butte Mountains and northern portion of the White Pine Range. The Moorman Ranch Allotment occurs in both the Long Valley and the Jakes Valley Watersheds with a small portion in the Newark Watershed.

The current grazing management on the Moorman Ranch Allotment in accordance with the Livestock Use Agreement for the Moorman Ranch Allotment, as amended. This agreement was established in 1997 as a five-year agreement resulting from the Moorman Ranch Allotment Final Multiple Use Decision (FMUD). In 2003, the agreement was evaluated and the management practices continued for an additional five-year term through a second agreement. In 2008, the Moorman Ranch Livestock Grazing Management Agreement Amendment was signed, extending the term of the agreement through February 28, 2013. This agreement outlined a voluntary non-use agreement and a pasture rotation system. The 1997 FMUD amended the Allotment Management Plan (AMP) that was established on the Moorman Ranch Allotment in 1968 and also amended in 1978.

This agreement was prepared in consultation, cooperation, and coordination with the Moorman Ranch.

II. Terms and Conditions of Authorized Use

In accordance with 43 CFR 4130.3-1 and 4130.3-2 permitted use on the Moorman Ranch Allotment will be as follows:

1. 5,350 AUMs will continue to be placed in voluntary non-use therefore only 4,749 AUMs will be permitted for active use annually during the term of this agreement.
2. The overall season of use will remain yearlong (03/01 to 02/28) with the pasture rotation system shown below:

Pasture	Season Of Use	Active AUMs	Voluntary Non-Use AUMs
Long Valley	10/15 to 04/15	1,366	1,748
West Jakes	09/01 to 04/15	644	409
Townsend Seeding	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	477	0

East Jakes Seeing	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	169	4
Moorman Ranch Seeding	05/01 to 06/15 and 09/01 to 10/31 OR 03/01 to 06/15	343	0
East Jakes	05/16 to 10/15	300[a]	328
Burned Basin	05/16 to 10/14[b]	148	496
Antelope/ Divide	05/16 to 10/15	600[a]	1,445
Trench	05/16 to 10/15	183	277
Buster Mountain	05/16 to 10/14[c]	394	643
Illipah Seeding	05/16 to 10/14[c]	125	0

[a]Full use of these AUMs is dependent upon water hauling.

[b]Cattle may also be trailed through this area outside of this season of use.

[c]The rest-rotation system in conjunction with Forest Service grazing permit has been terminated, but overall season of use will be maintained.

3. Full use of 600 AUMs in the Antelope/Divide Pasture will be dependent upon water hauling. Without hauling water only 492 AUMs will be available. Water will be hauled in accordance with Nevada State Water Law to:
   a. Northern portion of the Divide Pasture: T18N R58E Sec.2–3, unless water is available at the stock pond: T18N R58E Sec. 11 NWNW
   b. Near Illipah Mine Site: T19N R58E Sec. 33 NESW
4. Full use of 300 AUMs in the East Jakes Pasture will be dependent upon water hauling. Without hauling water only 147 AUMs will be available. Water will be hauled in accordance with Nevada State Water Law to:
   a. Townsend Well (dry): T18N R60E Sec. 10
   b. South of Highway 50: T18N R60E Sec. 14
5. Livestock will continue to be moved within larger pastures by changing water availability throughout the season and will be varied from year to year.
   a. In order to maintain animal distribution in the Long Valley Use Area wells will be functioning and livestock use will be distributed based on pumping of the wells. These wells include Dickenson Well, Sunshine Well and North Spring Pipeline.
   b. Livestock will either start in the west portion of East Jakes Use Area and proceed east, shutting off waters as livestock are moved; or start east and proceed west, shutting off waters as livestock are moved
6. Maximum allowable use levels will be as follows:
   a. Winterfat and key perennial grasses during winter use: 50% of the current year's growth
   b. Bitterbrush and key perennial grasses during summer use: 45% of the current year's growth
   c. Perennial non-native seedings: 60% of the current year's growth
   d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.
7. Flexibility in grazing seasons will be allowed, not exceed active AUMs, if it is consistent with meeting the Multiple Use Objectives for the allotment and agreed upon by the BLM and the permittee.
8. Annual grazing use billings will be based on actual use for the period beginning March 1 and ending February 28. Actual Use Reports will be due by March 15 each year.
9. Annual grazing will be completed with consultation, coordination, and cooperation between the BLM and the grazing permittee.

Terms and Conditions Common to All Grazing Allotments (Ely District)

1. Livestock numbers identified in the Term Grazing Permit are a function of seasons of use and permitted use. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations are consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
2. The authorized officer is requiring that an actual use report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
3. Grazing use will be in accordance with the Standards and Guidelines for Grazing Administration. The Standards and Guidelines have been developed by the respective Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
4. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
5. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.
6. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
7. When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
8. The placement of mineral or salt supplements will be a minimum distance of ½ mile from known water sources, riparian areas, winterfat dominated sites, sensitive sites, populations of special status plant species, and cultural resource sites. Mineral and salt supplements will also be one mile from active sage-grouse leks. Placing supplemental feed (i.e. hay, grain, pellets, etc.) on public lands without authorization is prohibited.

III. Range Improvements

The permittee, in coordination with the BLM, will identify any future range improvement projects as needed. The BLM will initiate the project planning process for each proposed project. Project construction and implementation will depend on funding and district priorities.

IV. Future Monitoring and Adjustments

Monitoring

The BLM and the permittee will continue to work together to collect monitoring data. Specific rangeland monitoring studies to be collected may include proper functioning condition (PFC) riparian studies, cover studies, ecological condition studies, and key species utilization studies. Additional studies may be collected if the need arises.

Evaluation

Grazing use and stocking levels will also be evaluated after the ten-year period of this agreement and corresponding term grazing permit. The evaluation will determine consistency with and

achievement of the standards for rangeland health and shared goals of the Moorman Ranch and the BLM. Based upon the findings of the evaluation conducted, adjustments may or may not be needed. Any needed adjustments will be made through agreement or decision. Adjustments may include changes to period-of-use, stocking levels, areas-of- use or other grazing management practices.

V. Agreement

I, the undersigned, do hereby agree to and accept this agreement. I understand that the grazing privileges so authorized herein are subject to the provisions of the Code of Federal Regulations (43 CFR 4100 through 4180) which deal with grazing use on public lands. I also agree that the terms and conditions of this agreement are binding upon the permittee(s), his respective heirs, executors administrators, successors in interest of assignors with such modification as approved or required by the authorized officer.

Robert Dickenson Moorman Ranch, LLC	Date
Doris A. Metcalf Field Manager Egan Field Office	Date